



General Assembly

January Session, 2007

**Committee Bill No. 708**

LCO No. 4225

\*04225SB00708PS\_\*

Referred to Committee on Public Safety and Security

Introduced by:  
(PS )

**AN ACT CREATING A VIOLENT OFFENDER REGISTRY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) As used in sections 1 to 4,  
2 inclusive, of this act:

3 (1) "Conviction" means a judgment entered by a court upon a plea of  
4 guilty, a plea of nolo contendere or a finding of guilty by a jury or the  
5 court notwithstanding any pending appeal or habeas corpus  
6 proceeding arising from such judgment.

7 (2) "Not guilty by reason of mental disease or defect" means a  
8 finding by a court or jury of not guilty by reason of mental disease or  
9 defect pursuant to section 53a-13 of the general statutes  
10 notwithstanding any pending appeal or habeas corpus proceeding  
11 arising from such finding.

12 (3) "Violent offense" means (A) murder under section 53a-54a of the  
13 general statutes, (B) manslaughter in the first degree under section 53a-  
14 55 of the general statutes, (C) felony murder under section 53a-54c of  
15 the general statutes, (D) arson murder under section 53a-54d of the

16 general statutes, (E) manslaughter in the first degree with a firearm  
17 under section 53a-55a of the general statutes, (F) assault in the first  
18 degree under section 53a-59 or 53a-59a of the general statutes, (G)  
19 kidnapping in the first degree when the victim is a minor under  
20 section 53a-92a of the general statutes, (H) conspiracy to commit one or  
21 more of the offenses listed in subparagraphs (A) to (G), inclusive, of  
22 this subdivision under section 53a-48 of the general statutes, or (I)  
23 criminal attempt to commit one or more of the offenses listed in  
24 subparagraphs (A) to (G), inclusive, of this subdivision under section  
25 53a-49 of the general statutes.

26 (4) "Identifying factors" means fingerprints, a photographic image  
27 and a description of any other identifying characteristics as may be  
28 required by the Commissioner of Public Safety. The commissioner  
29 shall also require a sample of the registrant's blood or other biological  
30 sample be taken for DNA (deoxyribonucleic acid) analysis, unless such  
31 sample has been previously obtained in accordance with section 54-  
32 102g of the general statutes.

33 (5) "Mental abnormality" means a congenital or acquired condition  
34 of a person that affects the emotional or volitional capacity of the  
35 person in a manner that predisposes that person to the commission of  
36 criminal violent acts to a degree that makes the person a menace to the  
37 health and safety of other persons.

38 (6) "Registrant" means a person required to register under section 2  
39 or 3 of this act.

40 (7) "Registry" means a central record system in this state, any other  
41 state or the federal government that receives, maintains and  
42 disseminates information on persons convicted or found not guilty by  
43 reason of mental disease or defect of violent offenses.

44 (8) "Release into the community" means, with respect to a conviction  
45 or a finding of not guilty by reason of mental disease or defect of a  
46 violent offense, (A) any release by a court after such conviction or

47 finding of not guilty by reason of mental disease or defect, a sentence  
48 of probation or any other sentence under section 53a-28 of the general  
49 statutes that does not result in the offender's immediate placement in  
50 the custody of the Commissioner of Correction; (B) release from a  
51 correctional facility at the discretion of the Board of Pardons and  
52 Paroles, by the Department of Correction to a program authorized by  
53 section 18-100c of the general statutes or upon completion of the  
54 maximum term or terms of the offender's sentence or sentences, or to  
55 the supervision of the Court Support Services Division in accordance  
56 with the terms of the offender's sentence; or (C) release from a hospital  
57 for mental illness or a facility for persons with mental retardation by  
58 the Psychiatric Security Review Board on conditional release pursuant  
59 to section 17a-588 of the general statutes or upon termination of  
60 commitment to the Psychiatric Security Review Board.

61 Sec. 2. (NEW) (*Effective October 1, 2007*) (a) Any person who has  
62 been convicted or found not guilty by reason of mental disease or  
63 defect of a violent offense, and (1) is released into the community on or  
64 after October 1, 1996, and prior to October 1, 2007, and resides in this  
65 state, shall, on October 1, 2007, or not later than three days after  
66 residing in this state, whichever is later, or (2) is released into the  
67 community on or after October 1, 2007, shall, not later than three days  
68 after such release, register such person's name, identifying factors,  
69 criminal history record, documentation of any treatment received for  
70 mental abnormality or personality disorder, and residence address  
71 with the Commissioner of Public Safety on such forms and in such  
72 locations as said commissioner shall direct, and shall maintain such  
73 registration for ten years for a first violent offense, and for life for a  
74 second violent offense. Prior to accepting a plea of guilty or nolo  
75 contendere from a person with respect to a violent offense, the court  
76 shall (A) inform the person that the entry of a finding of guilty after  
77 acceptance of the plea will subject the person to the registration  
78 requirements of this section, and (B) determine that the person fully  
79 understands the consequences of the plea. If such person changes such  
80 person's address such person shall, not later than five days after such

81 change of address, register the new address, in writing, with the  
82 Commissioner of Public Safety, and, if the new address is in another  
83 state, such person shall also register with an appropriate agency in that  
84 state, provided that state has a registration requirement for such  
85 offenders. If any person who is subject to registration under this  
86 section is employed in another state, carries on a vocation in another  
87 state or is a student in another state, such person shall notify the  
88 Commissioner of Public Safety and shall also register with an  
89 appropriate agency in that state, provided that state has a registration  
90 requirement for such offenders. During such period of registration,  
91 each registrant shall complete and return forms mailed to such  
92 registrant to verify such registrant's residence address and shall submit  
93 to the retaking of a photographic image upon request of the  
94 Commissioner of Public Safety. If any person who is subject to  
95 registration under this section is employed at, carries on a vocation at  
96 or is a student at a trade or professional institution or institution of  
97 higher education in this state, such person shall notify the  
98 Commissioner of Public Safety of such status and of any change in  
99 such status.

100 (b) Notwithstanding the provisions of subsection (a) of this section,  
101 during the initial registration period following October 1, 2007, the  
102 Commissioner of Public Safety may phase-in completion of the  
103 registration procedure for persons released into the community prior  
104 to said date over the first three months following said date, and no  
105 such person shall be prosecuted for failure to register under this  
106 section during those three months provided such person complies  
107 with the directives of said commissioner regarding registration  
108 procedures.

109 (c) Any person who violates the provisions of this section shall be  
110 guilty of a class D felony.

111 Sec. 3. (NEW) (*Effective October 1, 2007*) (a) Any person who has  
112 been convicted or found not guilty by reason of a mental disease or

113 defect in any other state, in a federal or military court or in any foreign  
114 jurisdiction of a violent offense the essential elements of which are  
115 substantially the same as any of the crimes specified in subdivision (3)  
116 of section 1 of this act and who resides in this state on and after  
117 October 1, 2007, shall, not later than ten days after residing in this state,  
118 register with the Commissioner of Public Safety in the same manner as  
119 if such person had been convicted or found not guilty of by reason of  
120 such crime in this state, except that for purposes of determining the  
121 ten-year period of registration under section 2 of this act such person  
122 shall be deemed to have initially registered on the date of such  
123 person's release into the community in such other state, federal or  
124 military system or foreign jurisdiction.

125 (b) Any person not a resident of this state who is registered as a  
126 violent offender under the laws of any other state and who is  
127 employed in this state, carries on a vocation in this state or is a student  
128 in this state, shall, not later than five days after the commencement of  
129 such employment, vocation or education in this state, register such  
130 person's name, identifying factors, criminal history record, locations  
131 visited on a recurring basis or residence address, if any, in this state,  
132 and residence address in such person's home state with the  
133 Commissioner of Public Safety on such forms and in such locations as  
134 said commissioner shall direct and shall maintain such registration  
135 until such employment, vocation or education terminates or until such  
136 person is released from registration as a violent offender in such other  
137 state. If such person terminates such person's employment, vocation or  
138 education in this state or changes such person's address in this state,  
139 such person shall, not later than five days after such change of address,  
140 provide notice, in writing, to the Commissioner of Public Safety.

141 (c) If any person who is subject to registration under this section is  
142 employed at, carries on a vocation at or is a student at a trade or  
143 professional institution or institution of higher education in this state,  
144 such person shall notify the Commissioner of Public Safety of such  
145 status and of any change in such status.

146 (d) Any person not a resident of this state who is registered as a  
 147 violent offender under the laws of any other state and who travels in  
 148 this state on a recurring basis for periods of less than five days shall  
 149 notify the Commissioner of Public Safety of such person's temporary  
 150 residence in this state and of a telephone number at which such person  
 151 may be contacted.

152 Sec. 4. (NEW) (*Effective October 1, 2007*) The Department of Public  
 153 Safety shall, not later than January 1, 2008, establish and maintain a  
 154 registry of all persons required to register under sections 2 and 3 of this  
 155 act. The Department of Public Safety shall verify the address of each  
 156 registrant by mailing a nonforwardable verification form to the  
 157 registrant at the registrant's last reported address. Such form shall  
 158 require the registrant to sign a statement that the registrant continues  
 159 to reside at the registrant's last reported address and return the form  
 160 by mail by a date which is ten days after the date such form was  
 161 mailed to the registrant. Each person required to register under  
 162 sections 2 and 3 of this act shall have such person's address verified in  
 163 such manner every six months after such person's initial registration  
 164 date. In the event that a registrant fails to return the address  
 165 verification form, the Department of Public Safety shall notify the local  
 166 police department or the state police troop having jurisdiction over the  
 167 registrant's last reported address, and that agency shall apply for a  
 168 warrant to be issued for the registrant's arrest under section 2 or 3 of  
 169 this act, as the case may be. The Department of Public Safety shall not  
 170 verify the address of registrants whose last reported address was  
 171 outside this state.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section
Sec. 3	<i>October 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	New section

**Statement of Purpose:**

To create a registry of violent offenders.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. STILLMAN, 20th Dist.

S.B. 708